

INITIAL STATEMENT OF REASONS

FOR
PROPOSED BUILDING STANDARDS
OF THE
DIVISION OF THE STATE ARCHITECT (DSA-AC)

REGARDING PROPOSED CHANGES TO
THE CALIFORNIA PLUMBING CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5

2016 CALIFORNIA PLUMBING CODE
TRIENNIAL CODE CYCLE

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS:

California Government Code Section 4450 directs the State Architect to develop and submit proposed building standards to the California Building Standards Commission (CBSC) for approval and adoption pursuant to Health and Safety Code Section 18935 for the purpose of making buildings, structures, sidewalks, curbs, and related facilities accessible to and usable by persons with disabilities.

This proposed regulatory action by DSA-AC will provide greater consistency and clarity for code users by:

- Adopting existing California accessibility amendments carried forward from the 2013 CPC and incorporated into the 2016 CPC.
- Amending existing California accessibility amendments from the 2013 CPC and incorporating into the 2016 CPC.

ITEM 1.00

CHAPTER 1 – Scope and Administration
DIVISION I – California Administration
Matrix Adoption Table

REASON: DSA-AC is proposing to amend the model code to carry forward and incorporate existing provisions of the 2013 CA Plumbing Code into the 2016 CA Plumbing Code. The Matrix Adoption Table for California Chapter 1 is being amended to correctly indicate the provisions adopted by DSA-AC.

ITEM 1.01

CHAPTER 1 – Scope and Administration
DIVISION I – California Administration
SECTION 1.9 – Division of the State Architect
1.9.1 Division of the State Architect – Access Compliance.

REASON: DSA-AC is proposing to amend the model code to carry forward and incorporate existing administrative provisions of the 2013 CA Plumbing Code into the 2016 CA Plumbing Code. The note is being further amended for consistency with corresponding notes in Title 24, Part 2 and Part 10. This amendment will provide clarity and consistency for code users.

ITEM 4.00

CHAPTER 4 – Plumbing Fixtures and Fixture Fittings

Matrix Adoption Table

REASON: DSA-AC is proposing to amend the model code to carry forward and incorporate existing provisions of the 2013 CA Plumbing Code into the 2016 CA Plumbing Code. The Matrix Adoption Table for Chapter 4 is being amended to correctly indicate the provisions adopted by DSA-AC.

ITEM 4.01

CHAPTER 4 – Plumbing Fixtures and Fixture Fittings

Note following chapter title

REASON: DSA-AC is proposing to amend the model code to carry forward and incorporate existing provisions of the 2013 CA Plumbing Code into the 2016 CA Plumbing Code. The note is being further amended for consistency with corresponding notes in Title 24, Part 2 and Part 10. This amendment will provide clarity and consistency for code users.

ITEM 4.02

CHAPTER 4 – Plumbing Fixtures and Fixture Fittings

422.0 Minimum Number of Required Fixtures.

422.1 Fixture Count.

422.1.2

REASON: DSA-AC is proposing to amend the model code to carry forward and incorporate existing provisions of the 2013 CA Plumbing Code into the 2016 CA Plumbing Code. A typographical error in the DSA-AC acronym is being corrected.

ITEM 4.03

CHAPTER 4 – Plumbing Fixtures and Fixture Fittings

422.0 Minimum Number of Required Fixtures.

422.1 Fixture Count.

Table 422.1, Note 4

REASON: DSA-AC is proposing to amend the model code to carry forward and incorporate existing provisions of the 2013 CA Plumbing Code into the 2016 CA Plumbing Code. The section number reference is being amended to correctly identify the provision permitting use of alternate materials and methods of construction equivalency.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS:

None required; Section 18928 of the Health & Safety Code mandates this proposed action.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS:

The proposed building standards clarify accessibility provisions contained in the 2016 California Plumbing Code. Accessibility is required by the federal Americans with Disabilities Act and corresponding California statute and regulations; lack of consistent scoping and technical requirements creates confusion for code users, building officials, and building and facility owners.

CONSIDERATION OF REASONABLE ALTERNATIVES

The Division of the State Architect has not considered any reasonable alternatives to the proposed action.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS.

The Division of the State Architect has not identified any reasonable alternatives to the proposed action, and no adverse impact to small business due to these proposed changes is expected.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS.

The Division of the State Architect has no evidence indicating any potential significant adverse impact on business with regard to this proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

The DSA-AC has assessed whether or not and to what extent this proposal will affect the following:

- The creation or elimination of jobs within the State of California.

The DSA-AC has determined that the proposed action has no effect.

- The creation of new businesses or the elimination of existing businesses within the State of California.

The DSA-AC has determined that the proposed action has no effect.

- The expansion of businesses currently doing business with the State of California.

The DSA-AC has determined that the proposed action has no effect.

- The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

The DSA-AC has determined that the proposal establishes minimum requirements to safeguard the public health, safety and general welfare through access to persons with disabilities.

ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS

The Division of the State Architect estimates that the cost of compliance with these proposed regulations will be minimal. Clear and consistent scoping and technical requirements benefit code users, building officials, and building and facility owners.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

The regulations proposed for adoption do not duplicate or conflict with federal regulations.